

the world that are dedicated to the promotion of freedom and human rights;

Whereas the United States, while voting against the resolution creating the United Nations Human Rights Council, was unable to ensure that the council would be structured to best promote and protect human rights around the globe; and

Whereas if the United States, working with other like-minded countries, is not able to adequately reform the corrupt United Nations Human Rights Commission, then the chances for the United States and other like-minded countries to effect the broader changes to the United Nations that are desired and needed to make the institution more effective are much reduced: Now, therefore, be it

*Resolved*, That the Senate—

(1) affirms that the United Nations Human Rights Council should be a body that upholds the ideals contained in—

(A) the United Nations Charter; and

(B) the Universal Declaration on Human Rights;

(2) believes that countries charged with protecting the human rights of individuals throughout the world should be required to—

(A) hold regular, competitive, and democratic elections;

(B) allow for freedom of expression; and

(C) have a credible civil society;

(3) finds that the creation of the United Nations Human Rights Council fails to—

(A) adequately reform the United Nations Commission on Human Rights; and

(B) prevent the worst abusers of human rights in the world from attaining membership to the council;

(4) applauds the Administration for opposing the creation of the new council;

(5) believes that the United States should adhere to its principles and not seek membership on the new council, a move that would undermine the credibility of the United States and give the new council unwarranted legitimacy;

(6) urges the Administration to not support the United Nations Human Rights Council, and to advocate in favor of the withdrawal of any financial support that would be used to support the council until meaningful reforms are undertaken; and

(7) believes the United States should strengthen, deepen, and operationalize the work of the international community of democracies by establishing an effective human rights oversight body outside the United Nations system, so as to make it the primary means for examining, exposing, monitoring, and redressing human rights abuses throughout the world.

Mr. FRIST. Mr. President, yesterday, I wrote a letter to President Bush expressing my strong opposition to the United States participating in the United Nations Human Rights Council. I believe the newly established body represents little improvement over the old and discredited commission it is intended to replace. Furthermore, any U.S. participation or financial support of the Council undermines our credibility as defenders of human rights around the world. I believe many of my colleagues share my assessment, which is why this resolution expresses the Senate's opposition to the Council and our strong belief that the United States should take no part. The United Nations Commission on Human Rights was established by the United States and our allies in 1946 to monitor and prevent human rights abuses throughout the world. It was charged to uphold

the ideals embodied in the U.N. Charter and the Universal Declaration on Human Rights. However, in the intervening years, the Commission fell far short of these noble expectations. In particular, the Commission consistently granted membership to some of the world's worst human rights abusers. Sudan, Cuba, Libya, China, and Zimbabwe all have demonstrated egregious disregard for the human rights of their own citizens and shamefully were all Commission members. Moreover, the Commission repeatedly failed to act or condemn numerous cases of intolerable human rights abuses. These include the many abuses perpetrated by Communist states, the 1994 Rwanda genocide, and even the ongoing genocide in Sudan's western region of Darfur. Many of our colleagues by now have had the opportunity to travel to that Darfur region. I, for one, have been there, as well as Chad, the country immediately west, and seen the terrible tragedies that are being created by this ongoing genocide. The Commission refused to condemn state sponsors of terrorism, such as Iran, Syria, and North Korea. They consistently singled out the only democracy in the Middle East, Israel, for criticism, while overlooking serious cases of human rights abuse in neighboring countries. The Commission repeatedly proved itself ineffective, unaccountable, and inefficient. It failed to achieve the goals and uphold the ideals for which it was created. Now, to their credit, the United States and many at the United Nations recognized the need for serious reform of the Commission in order to restore the U.N.'s credibility. However, the U.N.'s new Human Rights Council, established just 2 weeks ago, fails to do just that. It falls far short of the standards envisioned by President Bush and Secretary General Kofi Annan. It glosses over its deficiencies and offers only superficial changes to the former Commission structure.

Fundamentally, the Council lacks the mechanisms and standards necessary to prevent flagrant human rights violators from gaining membership. It maintains the geographical quotas that will, once again, ensure that human rights abusers continue to have access to membership. It is wrong. It does not make sense. In short, the new Council fails to improve over the old Commission, and it is destined to fail in its core mission of monitoring and preventing human rights abuses around the world.

I applaud President Bush and our Ambassador at the U.N., John Bolton, for opposing the resolution establishing the Council. I personally urge the administration, as does this resolution, to oppose U.S. participation in and deny American support for the U.N.'s new Human Rights Council. This would uphold America's credibility and reputation as a protector of human rights and deny the Council unwarranted legitimacy.

I also believe that the United States should lead a group of like-minded de-

mocracies to establish an effective human rights oversight body outside of the U.N. system. At a minimum, countries charged with protecting human rights should themselves hold regular, competitive, democratic elections; allow for freedom of expression; and have a credible civil society—all of which was not the case for the old U.N. Commission, nor is it now the case for the new Council.

Regrettably, the U.N. and many of its member states have shown that they are not serious about reform. Therefore, the United States and those committed to protecting human rights must adhere to our principles and work toward a solution outside of the United Nations.

For too long, the world's worst human rights abusers have successfully shielded themselves from scrutiny. It is time for change. It is time for sunlight. I believe that under the leadership of America, we should create a new, a stronger, a more credible body to protect the human rights of all of those who are vulnerable around the world.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3214. Mr. SANTORUM (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table.

SA 3215. Mr. ISAKSON proposed an amendment to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, *supra*.

SA 3216. Mr. ALLARD submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, *supra*; which was ordered to lie on the table.

SA 3217. Ms. MIKULSKI (for herself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, *supra*; which was ordered to lie on the table.

SA 3218. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. SPECTER (for himself, Mr. LEAHY, and Mr. HAGEL) to the bill S. 2454, *supra*; which was ordered to lie on the table.

SA 3219. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 2454, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 3214.** Mr. SANTORUM (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . . DESIGNATION OF POLAND AS A VISA WAIVER COUNTRY.**

(a) FINDINGS.—Congress makes the following findings: